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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/638,658	08/14/2000	Richard St. Clair Bailey	MS1-577US	9652

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LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER

KE, PENG

ART UNIT PAPER NUMBER

2174

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/638,658

Applicant(s)

BAILEY ET AL.

Examiner

Peng Ke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-15, 17-22 and 24-27 is/are rejected.
- 7) ☒ Claim(s) 8, 16, and 23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-7, 9-15, 17-22, 24-25, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Little et al. (US 6,331,866).

As per claim 1, Little et al. teaches a method for use in a graphical user interface, the method comprising:

determining an offset value between an object's position and an input position; and dynamically and gradually reducing the offset value (col 8, lines 47-51, col 12, lines 36-48).

As per claim 2, which is dependent on claim 1, Little et al. teaches the method as recited in Claim 1, wherein the object position includes a preferred contact area (fig 6, item 132).

As per claim 3, which is dependent on claim 2, Little et al. teaches the method as recited in Claim 2, wherein the preferred contact area includes a definable point associated with an object (fig 6, item 132), and the object can be selectively moved within the graphical user interface (col 12, lines 63-66).

As per claim 4, which is dependent on claim 1, Little et al. the method as recited in Claim 1, wherein the input position includes updated positioning information from a user input mechanism (col 8, lines 47-51, col 5, lines 25-30).

As per claim 5, which is dependent on claim 1, Little et al. teaches the method as recited in Claim 4, wherein dynamically and gradually reducing the offset value further includes implementing a corrective function that selectively and incrementally reduces the offset based on the updated positioning information (col 8, lines 47-51, col 12, lines 36-48).

As per claim 6, which is dependent on claim 1, Little et al. teaches the method as recited in Claim 4, wherein implementing the corrective function that selectively and incrementally reduces the offset based on the updated positioning information is further selectively implemented based upon differences between the updated positioning information with respect to previous positioning information (col 12, lines 36-48).

As per claim 7, which is dependent on claim 1, Little et al. teaches the method as recited in Claim 5, wherein the corrective function includes a linear corrective factor (col 8, lines 17-21)

As per claim 9, which is dependent on claim 1, Little et al. teaches the method as recited in Claim 1, further comprising graphically displaying an object within a graphical user interface (fig 6, items 132, 142, and 124).

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As per independent claim 10, Little et al. teaches A computer-readable medium having computer-executable instructions for performing steps comprising:

determining an offset value between an object's position and an input position; and dynamically and gradually reducing the offset value.

As per claim 11, which is dependent on claim 10, it is of the same scope as claim 2 (see rejection above).

As per claim 12, which is dependent on claim 11, it is of the same scope as claim 3 (see rejection above).

As per claim 13, which is dependent on claim 10, it is of the same scope as claim 4 (see rejection above).

As per claim 14, which is dependent on claim 13, it is of the same scope as claim 5 (see rejection above).

As per claim 15, which is dependent on claim 14, it is of the same scope as claim 7 (see rejection above).

As per independent claim 17, Little et al. teaches an apparatus comprising logic configured to determine an offset value between an object's position and an input position, and dynamically and gradually reduce the offset value (col 8, lines 47-51, col 12, lines 36-48).

As per claim 18, which is dependent on claim 17, it is of the same scope as claim 2 (see rejection above).

As per claim 19, which is dependent on claim 18, it is of the same scope as claim 3 (see rejection above).

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As per claim 20, which is dependent on claim 17, it is of the same scope as claim 4 (see rejection above).

As per claim 21, which is dependent on claim 20, it is of the same scope as claim 5 (see rejection above).

As per claim 22, which is dependent on claim 21, it is of the same scope as claim 7 (see rejection above).

As per claim 24, which is dependent on claim 20, Little et al. teaches the apparatus as recited in Claim 20, wherein the input device includes a pointing device (col 8, lines 47-51).

As per claim 25, which is dependent on claim 24, Little et al. teaches the apparatus as recited in Claim 24, wherein the pointing device includes a mouse (col 5, line 65).

As per claim 27, which is dependent on claim 17, Little et al. teaches the apparatus as recited in claim 17, wherein the arrangement is operatively configured within a computer (col 5, lines 46-60).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Little et al. (US 6,204,846) in view of Shieh (US 5,870,083) .

As per claim 26, which is dependent on claim 20 Little et al. teaches the apparatus as recited in Claim 20. However Little et al. doesn't teach the apparatus wherein the input device includes a touch screen device. Shieh teaches an apparatus wherein the input device includes a touch screen device (col 4, line 26). It would have been obvious to an artisan at the time of the invention to include Shieh teaching with Little et al.'s apparatus in order to allow the users to operate with their finger or a pointing device with out the inconvenience of installing a mouse.

Allowable Subject Matter

Claims 8, 16, and 23 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to disclose or teach a method wherein the linear corrective factor reduces the offset by at least one pixel for every four pixels in the updated positioning information.

Conclusion

The following patent is cited to further show the state of the art with respect to a movable objects:

Ishikawa (US 5,506,951): discloses a scroll bar with jump tags.

Bates et al. (US 6,339,438): discloses a scroll bar with integrated advertisement.

Eisenberg. (US 6,331,866): disclose a display control for software notes.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615.

The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRISTINE L KINCAID can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Peng Ke
February 10, 2003

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100